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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/527,734	03/17/2000	Walter A. Rinebold	991097	3093

7590

09/25/2003

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EXAMINER

SAX, STEVEN PAUL

ART UNIT

PAPER NUMBER

2174

DATE MAILED: 09/25/2003

11

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/527,734

Applicant(s)
Rinebold et al

Examiner
Steve Sax

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2174



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 5/19/03.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-75 is/are pending in the application.
- 4a) Of the above, claim(s) 16-45 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 9-15 is/are allowed.
- 6) ☒ Claim(s) 1-8 and 46-75 is/are rejected.
- 7) ☐ Claim(s) is/are objected to.
- 8) ☐ Claims are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. .
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). .
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). . 6) ☐ Other:

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DETAILED ACTION

1. This application has been examined.
2. The amendment filed 5/19/03 has been entered.
3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-8 and 46-75 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosen et al (6118449) and Hanson et al (5974398).
5. Regarding claim 1, Rosen et al show the online interactive web site information system displaying advertisements, information, and business listings (Figure 8). Users may be referred to merchant websites of specific geographic areas or categories (see again Figure 8 and note how there are category selections, one of them being travel and regional). The web system allows users to advertise business listings and advertising (column 3 lines 18-23, column 4 lines 53-56). These in turn may be selected by users through the browser (column 6 lines 25-40) which

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displays the advertising, information and business listings, based on a selection by the user of the location and category. The display is viewed by users (column 6 lines 10-21). The advertising, information, and business listings are linked using a hyperlinks to corresponding merchant or other websites (column 6 lines 50-60).

Rosen et al do not specifically go into the details of targeting geographic profiles of users, but do mention user selection of categories including regional as noted above. In addition, Rosen et al mention storing information pertaining to the selection of various information types (column 8 lines 5-33). Hanson et al teach a way to effectively store information pertaining to the selection of various information types in an interactive web site information system, namely by targeting profiles of users (Hanson column 4 lines 15-24). This includes geographic targeting (Hanson column 4 line 56), and builds databases from the information (Hanson column 4 lines 3-10 and 60-68). The profiling includes recording and previewing account review information (Hanson column 5 lines 5-22). Information may be added or deleted by the users (Hanson column 5 lines 50-55). Extended service in which usage statistics are recorded and activity is monitored is also employed (Hanson column 5 lines 15-35, 40-50). It would have been obvious to incorporate these targeting techniques into the interactive web site information system of Rosen et al, because it would allow effective storing of information pertaining to selection of information types.

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6. Regarding claim 2, Hanson et al show generating revenue from usage and accounting means to keep track of revenues and commissions (column 5 lines 25-40). It would have been obvious to a person with ordinary skill in the art incorporate this as a feature to target user purchases and selections in the interactive web site information system of Rosen et al, because it would allow effective storing of information pertaining to selection of information types.

7. Regarding claims 3-4, Hanson et al show updating advertising, business, and information listings and related payments (column 5 lines 17-33, column 9 lines 1-15). It would have been obvious to a person with ordinary skill in the art incorporate this as a feature to target user purchases and selections in the interactive web site information system of Rosen et al, because it would allow effective storing of information pertaining to selection of information types.

8. Regarding claims 5-8, Rosen et al show the time duration 'coupons' and advertisements and subsequent removal (column 7 lines 10-20, column 13 lines 45-55)

9. Claims 46-75 show the same features as above and are rejected for the same reasons.

10. Claims 9-15 are allowable over the prior art of record. These claims bring out the revenue generation from the system usage and accounting and statistical means to track and monitor the usage which in the context of the claims then is utilized to link and categorize

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advertising, business, and information accordingly. The features combined are not set forth in the prior art of record.

11. Applicant's arguments filed have been fully considered but they are not persuasive. .

The creation of business listings and merchant selection of categories is shown as explained above. Also, the search engine of Rosen does include the geographic hierarchy and topic selection and note that the rejected claims are broader on the details of how this feature is enacted. Note that the 112 issue has been fixed and that rejection has been removed.

Applicants' Representative and Examiner began a phone interview which due to weather considerations had to be postponed. Applicants' Representative is welcome to contact Examiner at earliest convenience to discuss claim interpretation and modification.

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however,

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will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

13. Any inquiry concerning this communication should be directed to Steve Sax at telephone number (703) 305-9582.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steve Sax whose telephone number is (703) 305-9582. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:00 PM.

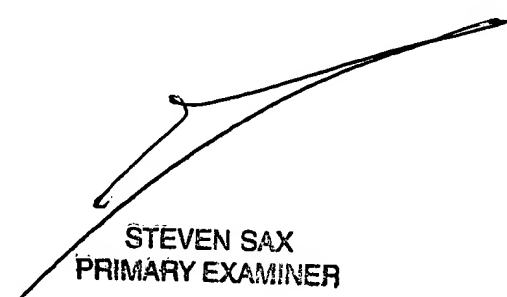
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, may be reached at (703) 308-0640.

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703) 872-9306

Official Communication

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



STEVEN SAX
PRIMARY EXAMINER